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AN APOLOGY FOR THE LAW.

THERE is, we believe, no one subject which has such an amount of obloquy attached to it, and so many slanderous speeches directed against it, as 'the law.' Divinity and medicine come in, now and then, for their fair share of abuse, but in those, unworthy professors receive our condemnation more than do the professions themselves. If a clergyman be a poor preacher, or addicted to any particular vice, or if a doctor mistake one complaint for another, or perform an operation unskillfully, it is the clergyman and doctor alone we respectively blame; but if a lawyer misunderstands the law, or prepares his case carelessly, and so allows a verdict to go one way, while popular opinion says it ought to have gone another, a fearful outcry is raised, not against the lawyer, but against the law! 'What a shame it is *the law* should take the bread out of an honest man's mouth, and give it to one wholly unentitled to it!' says one. 'What an abominable thing it is that *the law* cannot be altered, so that instead of people, like poor Mr —, losing their money when they commence an action against one who has robbed them, they may be able to recover what rightly belongs to them!' exclaims another. Such are the complaints immediately raised, when perhaps, owing to the lawyer employed having never really understood the facts of the case, perhaps in consequence of the thick-headedness or perversity of the jury, or perchance, because the judge himself has committed a blunder, justice is not obtained.

Now, in the few observations we are about to make, we are not for one moment going to argue that the law is perfect, or incapable of even very great improvements; we are indeed fully convinced of the contrary, and all we wish to shew is that, in many instances, 'the — law is not quite so black as it is painted;' that people too often create difficulties for themselves, from which the law is unequal to deliver them; and that, under such circumstances, they frequently condemn the law, when their own ignorance and carelessness are alone worthy of condemnation.

The dislike of many to the law is founded upon certain cases of which, by tradition or otherwise, they have obtained a knowledge; but a numerous class of complaints are founded upon totally erroneous notions held respecting the law itself. 'What a shocking thing it is,' we often hear people say, 'that so many prisoners escape justice from a flaw in the indictment!' Now, years ago, such a complaint as this would have been very just; multitudes of culprits did so evade justice; but at the present day such a remark

is altogether uncalled for. There is hardly any error one can mention which, if it occur in an indictment, the judge cannot now amend at the time of trial. The prisoner may be charged by a wrong name; he may be indicted for committing the offence in one town when he really committed it in another; or a wrong date may be introduced—all does not matter; a stroke of the officer's pen, under the verbal direction of the judge, during the trial, will instantly set the matter right; and escape because of a defect in the drawing up of an indictment, the prisoner may look for in vain. This power of 'amending' has of late years, we may observe, been most beneficially applied to almost all legal documents; and at the present day, instead of defendants in civil suits escaping because the writ was erroneously framed, or plaintiffs being nonsuited owing to a defect in the declaration, writs, declarations, and pleas, may be cut about, added to, or subtracted from, just as convenience dictates.

Another remarkable error commonly indulged in, and put prominently forward at all times by those who advocate the inexpediency of capital punishments, is, that owing to the law imposing death for the commission of wilful murder, prisoners found guilty of capital offences, and executed, have frequently suffered unjustly, their innocence having been established after death. This belief is, we think, common to almost all with whom we have ever spoken on the subject; and the charge, if it could be substantiated, would form one of the most important objections against the existing law relating to murder. 'Better that ten guilty men should escape, than that one innocent man should suffer,' is a world-renowned maxim. But is the charge true? It has not been overlooked by those in authority, and it appears to us that the trouble a late Secretary of State took in obtaining an answer respecting it has been amply repaid in the confirmation of this fact—that after careful investigation by magistrate, coroner, grand and petty jury, judge, and Secretary of State, it is hardly possible that a crime can be attached to an innocent person and he suffer death. This question was put to each of the fifteen judges: 'Can you, assisted by your notes taken during trial, call to mind any cases of capital conviction in which the evidence did not clearly convince you of the guilt of the prisoner?' The answers given, in some cases referring to the experience of more than a quarter of a century, were uniform in agreeing that not a single unsatisfactory conviction had ever occurred before the judge whose opinion was solicited! So much for innocent people suffering death through the strictness of the law.

Another very common belief and complaint is, that

courts are at all times fond of straining the law to its utmost extent against the facts of the case. The idea appears to be, that when a man 'goes to law,' he is led into a sort of trap, from which in time he may escape, but only with the loss of a great deal of his property, and with no ultimate advantage gained; and that, in the majority of instances, such a one finds that, owing to some former decision, some legal dicta, or previously unheard-of act of parliament, his cause has been decided in an altogether different manner from that which the facts warranted. This is one of the most erroneous beliefs common to a limited knowledge of the practice of the courts. True it is that proceedings at law are for the most part very expensive—though not nearly so costly as in times gone by—true also is it that a great deal of argumentation takes place very often upon the true construction of an act of parliament, or the real meaning of the parties as expressed in a written agreement, and so forth, in which there may occur a good deal of 'hair-splitting'; but in five cases out of six brought before the English courts of justice, the expense and difficulty are really caused by *disputed facts* on the original trial: one party swears positively to one thing; the opposite party swears just as positively to the contrary; and when the verdict is given, one party must be dissatisfied, and the more so as it feels that the jury have not believed its evidence. The loser therefore goes before 'the court above,' in order to try and get the verdict set aside, on the ground, that it is given 'against evidence;' and then the long contest as to what this witness said, and what that witness said, what the plaintiff himself swore to, and how much of it was disproved by the defendant, is mistaken very often by the spectators, and by those who subsequently read the newspaper account of the trial, for an argument carried on 'to know what the law is;' and remarks are pretty freely made about 'the glorious uncertainty of the law;' the speakers meanwhile forgetting, or perhaps never having been aware, that the argument was really caused by 'the glorious uncertainty of the facts.'

To confirm what we say on this matter, we may mention that there is scarcely a quicker way known of arriving at an ultimate decision in an action at law, than 'framing a special case,' as it is called; that is, getting the parties to agree upon the facts, and permitting the court to decide after applying the law to those facts. The law is, in the majority of cases, settled with great ease, while the real facts of the story are generally arrived at with the greatest difficulty.

A fruitful cause of litigation, although, perhaps, one would hardly suppose it to be so, arises from the fact that people have usually very erroneous notions respecting their own powers. If a man breaks into your house at midnight, you believe you may shoot him. You may do no such thing; and if you do, the law will perhaps try you for murder, and certainly for manslaughter. If thieves rob your orchard or garden, you imagine that, it being your own property, you may place 'man-traps and spring-guns on the premises.' You may do nothing of the kind at any time—not even in your own dwelling-house of a day—and if you do, the law can fine and imprison you. You buy at an auction an old cabinet which previously belonged to your friend Smith, and accidentally find a bag of money concealed therein; of course you think it your own, and appropriate it to your own use. Smith discovers what you have done—prosecutes you for it, and you get two years' imprisonment, with hard labour! Mary, your housemaid, robs you of five pounds—you find her out, and take her before a magistrate. She is remanded; you fancy that if she is tried, you will never see your money again, and tell her that if she hands it over to you, you will not press

the charge against her. All this is done, and through your clemency Mary is discharged, and immediately returns your kindness by prosecuting you for misprision of felony! Now, in all these cases you may grumble as much as you please about the law, about its hardships and about its imperfections; but what you *ought* to grumble at, is your own erroneous idea of the power the law gives to you. It is precisely the same with the laws relating to property. We knew an old lady some years ago, who, under the will of her father, became possessed of two small landed estates. One of these she was directed to sell, and out of the proceeds of the sale she was to pay off a mortgage upon the second estate, and then convey the disencumbered estate to a third party, keeping for her own use any surplus money.

Now, all this was plain enough; but it so happened that the good lady had a particular affection for the estate she was directed to sell, for upon it was a house in which she had been born. She therefore did what many of us might have done under similar circumstances; she did *not* sell the first estate, but paid off the mortgage out of her own pocket, and conveyed what she was ordered to convey to the proper person. By and by, the old lady made her own will, and among other things bequeathed the estate, which she considered undoubtedly her own, to her daughter. On her death, the daughter was at once ousted of her legacy by the heir-at-law, on the ground that the old lady had *no power* to devise the estate, it having been given to her only in trust to do a particular thing with it, which she had omitted to do. Now, that unfortunate daughter we know; she has grumbled ever since her mother's death, seventeen years ago, and she will descend grumbling to the grave. Grumbling against what? Against her silly old mother, for leaving her what was not hers to leave? Against the heir-at-law, for taking what he was perhaps scarcely justified in laying claim to? Or against her grandmother, for making a somewhat awkward disposition of her estate? She has not, in our hearing, ever uttered one word of complaint against any or either of these. Her burden is, she has 'been ruined by law.'

We have already mentioned the common and erroneous belief as to being 'snapped up' on points of law; a kindred error is, that the law is ever watchful to take advantage of any illegal act committed by you. The criminal law is, of course, necessarily watchful, if it be only for the public protection. A large body of officers, whose duty it is jealously to guard against any infraction of the Queen's peace—a very wide phrase—keep their eyes steadily fixed on the community at large; but where are any officials employed to commence proceedings for private wrongs? No such officers exist; and the idea of the law being ever on the watch to inflict condign punishment upon you for peccadilloes committed through ignorance or carelessness, of which no private individual can take advantage, is simply an absurdity. Where, indeed, a person has been guilty of gross carelessness, of which another can, and does, take advantage by legal process, as might be expected, the careless person is the sufferer, but not otherwise.

Thus, you insure your life, and in answer to one of the questions submitted to you, upon the truth or falsehood of which your policy, as you are plainly informed, depends, you say that your last medical attendant was Mr Brown, surgeon, London, who attended you for gout, two years ago; forgetting, it may be, that eighteen months since you called in Mr Smith, who attended you a couple of days for diarrhoea. By and by, you die, and your poor widow has to commence an action for the amount of your policy, and is eventually deprived of all benefit from it by reason of your erroneous statement.

Or—to take a more frequently occurring case, you insure your house against fire, and your policy states that there are 'no hot-air flues, or stoves, other than ordinary grates, on the premises;' whereas this is a mistake, for you have one or two Arnott's stoves about the house. You never read over the policy sent to you, but consign it to your strong box, as you would a promissory-note or the will of a friend. Your house is burned down; you apply for your L.500 or L.1000; something turns up about the Arnott's stoves, and the law tells you that you cannot recover a farthing! A shamefully hard law say you, and ought to be altered. Look at the case, however, with an unprejudicial eye. A public company say—'If you will truly answer one or two questions, and pay us a certain yearly sum of money, we will take a certain risk upon us.' What you would have the law to say to the company is: 'You shall still take this risk upon you, which has now become a certainty, though the questions are *untruly* answered.'

We always like to ask one who complains long and loudly of the existing law, what he suggests should be done respecting it. 'Codify it.' By so doing you render it still less elastic, and still less capable of deciding in anything like an equitable manner the various cases coming under its cognizance. 'Permit its expounders to alter it so as to suit the requirements of each case upon which it would otherwise press too heavily.' Which would be to allow the mind of the judge to take the place of the statute-book, and conflicting decisions would be as plentiful as blackberries. 'Improve it.' To carefully weed out from it all that is obsolete and useless, and to render what is retained plain and uncontradictory, is the only wise and proper course; and when we remember that, within the last ten years, 'special pleading,' with all its useless ramifications, three-fourths of the technicalities of the criminal law, John Doe, Richard Roe, and all that was incomprehensible in ejectment, have, together with much other cumbersome machinery, been abolished, we do not think that the improvers of the law have been altogether idle.

No, good reader; you may talk as you will about the inherent badness and imperfect working of the law of England, and may stigmatise, as it has long been the fashion to do, the administrators of that law, as being the originators of legal subtleties and unmeaning jargon; but a careful and candid consideration will, we feel assured, convince you, however disagreeable the conviction may be, that some, at all events, of your dissatisfaction is owing to your own imperfect knowledge of the composition and practice of the law.

MY SCIENTIFIC MISFORTUNES.

THAT I have the melancholy pleasure of addressing the British public from a foreign prison, and while under sentence of death, is no fault of mine, but my misfortune. Those circumstances may, perhaps, invest my narrative with an interest not otherwise belonging to it, and are so far gratifying to me; but before it meets English eyes, I shall probably have been placed upon an American gallows, high above the praise or blame of my fellow-countrymen. I doubt, indeed, whether a writer ever contributed to this or any other journal with less anxiety as to what readers might think of his contribution. They have my fullest consent either to read it, or, in the eloquent language of my adopted country, to 'let the darn'd thing be.' As for the verdict of Posterity, one month ago I would have preferred the favourable verdict of certain twelve citizens of the United States to that of all the generations of men that will ever be born, and

I care even less about Posterity now than I did at that time. The editor may do just what he likes with my contribution, even to the transatlantic extent of appropriating it as his own; and even whether the Proprietors pay for it or not, is to me a matter equally devoid of interest. All I beg of them is, that they will, at all events, pay nothing to Bartholomew Sharp—or Bat Sharp, as he is called, though certainly not on account of any blindness to his *own* security—who has most likely, by the time this goes to press, appointed himself my sole executor. When I said that I was under sentence of death through my misfortune, I meant, through Bartholomew Sharp, who has been my bane through life, from the period when I pursued my scientific studies in my native Aberdeenshire, to this present, when I have reached, indeed, the summit of my profession as a practical chemist, but am about myself to be 'suspended' in American air.

'Who has not seen Ballybareleg has seen nothing,' is a well-known local proverb, alluding to the superiority of that Highland village; and certainly, who has not seen it may with truth be said to have seen nothing like it. The valley is a *cul de sac*, with impassable mountains at its head, and at its foot, more mountains of an extremely similar character. It looks as if Nature had tried 'her' prentice hand' at a World in that locality, and not succeeding to her satisfaction, had afterwards endeavoured to conceal the evidences of her failure. To call it 'a place of retirement,' would be to suggest means of frantic dissipation of which it is entirely destitute. It is a place for burying one's-self alive in, and that is all. Thither I retired, therefore, to conduct certain experiments which, though of great eventual benefit to the community, are sometimes held by it, meanwhile, to be a considerable public inconvenience. I shall never forget the noise, for instance, there was made in the Granite City about a very interesting animal called the Quagga, whose remains I had suffered to continue—or, as some ways observed, to discontinue—in my cellar for a longer time, perhaps, than the heat of the season warranted; but that was before I got Bat Sharp for my assistant, and therefore is excluded from these my final memorials. Bat was an astute lad, even for an Aberdeen boy, who had taken a fancy to practical science and to me, and I encouraged him in both his predilections. We agreed together that it would be better to remove with some live stock, upon which we proposed to operate, to Ballybareleg, than incur afresh such odium as had been created against us by the Quagga, and we flitted accordingly. There was, properly speaking, no road to our new residence, but our animals and ourselves were 'lifted' over the passes, and deposited safely at our journey's end by the muscular inhabitants of the district.

We kept ourselves to ourselves of necessity, since we could not speak a word of Gaelic; and perhaps it was this isolation which, in conjunction with the hideous noises heard to issue from our operating-rooms—which were sometimes the byres, and sometimes the cellars—caused us to be looked upon with a suspicion, which ripened very shortly into positive hatred. I do not think the inhabitants approved of our wearing trousers, since, when we walked abroad, they would point to them, and make signs that we should dispense with such insolent assumptions of superiority; but this was a minor cause of offence, which we would have removed at whatever inconvenience, had we imagined that by doing so confidence could have been restored. I confess to feeling

exceedingly uncomfortable at the unpleasant sensation we were making in a place which we had fondly hoped would have been incapable of any public feeling: it would have been better, I thought more than once, to have been indicted for a nuisance at Aberdeen, than to run the risk of being 'harried' at Ballybareleg—whatever that dreadful term might signify—by persons unacquainted with any processes of law whatever: but Bat Sharp, who had made himself exceedingly useful to me in many ways, was always saying that there was nothing to fear. Photography was Bat's delight; and it was the belief of the village community that he had obtained (at the usual sacrifice) a mastery over the Father of Evil, and kept him in a mahogany box upon three legs, wherein he took dark views of the neighbourhood. There was one gilly of enormous proportions, whose fear of this machine was ludicrous in such a very high degree, that Bartholomew was resolved to get his likeness into his collection. Taking advantage, therefore, of the hairy-limbed red man as he fished one day in Ballybareleg burn, he not only obtained a most excellent photograph of him from the bridge, but must needs exhibit it to him in triumph afterwards. Sandy Maclean cast but one horrified glance at that dell's looking-glass, as he termed it, and with a yell which would have put to shame a Pawnee upon the war-trail, took to his heels and raised the village. The whole population bore down upon our scientific *dépôt*, as the Gauls did in a previous epoch on the senators of ancient Rome, and we received them with the like appearance of equanimity. We asserted, with many solemn protestations, our entire innocence—that we had never taken Sandy's portrait at all—and instanced the empty camera as a proof of the hallucination of the infuriated Gael. The minister, too, who acted as interpreter, stood by us, and by attributing Maclean's excitement to the influence of whisky, obtained for us, for that time, a verdict of 'Not proven.' Maclean, however, was thereby for ever rendered our irreconcilable foe.

On the ensuing Sabbath, a circumstance occurred which rendered our longer residence in Ballybareleg quite out of the question. As the congregation was issuing from the sacred edifice in the afternoon, an infuriated sow, with a red night-cap drawn down, visor-like, beneath her eyes, and accompanied by thirteen of her progeny similarly accoutred, charged through their very midst with complete success. The minister in vain attempted to open a passage for the larger animal between his legs, and was made to bite the dust before his flock. The scarlet-crested animals so snapped at the naked calves of the Highlandmen, that they might have been taken for a congregation of Jumpers from Wales.* This insult to the community was not long in being traced home to its originators. Bartholomew Sharp and myself were given to understand that, so soon as the midnight hour should elapse, and the Sabbath be ended, we should be sacrificed, as was sarcastically observed by the malicious Sandy, 'body and breeches.' And yet no two more innocent persons were then breathing in the whole county of Aberdeen. In the cause of science, we had merely obtained possession of certain animals, and subjected them to a surgical process for the benefit of science, after which they had been provided with cheap and comfortable head-dresses of red cotton. The operations had in every case been very beautiful; but a certain feeling of irritation still lurked in the proverbially obstinate minds of the patients, and they had given expression to it—on the occasion of Bat's opening the byre-door and inadvert-

ently leaving it so—in the manner described. There was, however, no time to be lost in vain regrets or remonstrances, and we departed upon the instant over the impracticable mountain tops. We were pursued at the appointed hour by the vengeful Maclean and his myrmidons, and owed our lives solely to the circumstance that we journeyed in an entirely wrong direction, and reached the world at a point equally unsuspected by the inhabitants of Ballybareleg and ourselves.

The second misfortune which overtook me in the pursuit of science was in a very different locality, but the immediate cause of the calamity was, as before—as always—Bartholomew Sharp. He had been so very good as to accompany me as my permanent assistant to the West Indies, where I had received a government appointment, and soon earned for myself, by assiduous experiments in practical chemistry, the terror and hatred of the entire black population. To convince them of my innocence as a practiser of magic arts, was useless; so I had taken the other line, and declared myself Fetish, given out that I was invulnerable, and threatened, in case of suffering the least inconvenience at their hands, to sink the whole island in the Caribbean Sea.

One night I was sitting alone, and engaged in study; a large Argand lamp, like a very good deed in a very naughty world, threw its rays through the open jealousies, and illuminated my whole apartment like a full moon. A sudden crackling of the light garden-fence reminded me of the danger I ran in making myself so conspicuous, and sent me under the table in an instant, with my hand upon a loaded revolver, to which I trusted as a last argument wherewith to convince the unscientific native skull. My heart went pit-a-pat as I heard a naked body brush the sides of the veranda; he was drawing himself along, serpent-fashion, so as not to rise above the low ledge of the window-sill. I listened, as may be imagined, with considerable attention, and found that I had but one assassin to contend with; then I felt confident enough, for I had half-a-dozen men's lives in the weapon which I then held in my hand. Still, there was, of course, the chance of the fellow's shooting me first—an achievement which I had to anticipate—so that the adventure was by no means devoid of excitement. Silence reigned for so long, that I had almost begun to think myself the victim of a foolish fancy, when I caught sight of a dark head rising slowly between the jealousies; a couple of savage eyes glared into the chamber, though not without an expression of superstitious awe, and aiming as nearly between them as I could judge, I fired. I missed. With a cry of terror, the black villain took to his heels, and I myself leaped through the unglazed casement like a harlequin, and pursued him on the wings of vengeance.

Beautiful as West Indian nights are described to be, I confess I was never less penetrated with the glories of natural scenery than upon this particular occasion. I had no eyes for the liquid beauty of the starry heavens, nor for those earthly stars, the fire-flies, which flitted across my path so brilliantly; while as for the boasted 'tropical luxuriance of vegetation,' I execrated each climber and creeper which trammelled my flying feet. In the unreflecting eagerness of the moment, seeing him leap from one cover to another, I fired, and he dropped. No sooner had I done so, than, like almost all bloodshedders, I felt sorry for it, and hastened to learn how I could soothe his dying moments. The poor fellow evinced at first the most abject terror at my approach; but presently, being reassured by my attentions, and made wiser, perhaps, by the approach of death, he confessed that he was sorry for having attempted to murder me, since it seemed possible that I was no conjuror after all. A

* Most northern readers whose recollections extend beyond the last twenty years, will witness to the truth of this incident, however they may be puzzled by the locality now assigned to it.

gang of some sixty-five of them had drawn lots, he told me, for the honour of putting me out of the world; and now that he, the first to whom that duty fell, had failed, it would be necessary for the remainder to draw again, and so on—for sixty-three times—until either the club or myself was abolished. Having imparted to me this agreeable news, the poor black expired with the air of a man who has said all that he has to say; and I hastened home, to find Bartholomew in a dreadful state of mind about my absence and the explosion of the revolver. We returned together, and buried the corpse where it fell, concluding that it would be advisable that the sixty-four should remain in ignorance of their comrade's fate, and defer their next ballot as long as possible.

'Bat Sharp,' said I, as we were taking our breakfast the next morning, 'I know how we could settle an old controversy about the brain just now, if we chose; but I suppose it wouldn't do.'

'If you mean the Darkie,' returned Bartholomew, 'I don't see why it shouldn't do; except that, judging from his expectations of that old horse-pistol killing you with a silver bullet, I should doubt his having any brain at all. Why shouldn't it do?'

'Well,' replied I, 'if it was to be found out, we should, beyond all question, be massacred; and even if not, I don't think I could go and possess myself of that poor fellow's head in cold blood.'

'Very well,' returned Bat, in a cool exacerbating tone which is peculiar to him; 'in that case, there is, of course, nothing to be said; these questions of feeling are so delicate; or else one would have thought that after having'—

'Bartholomew,' interrupted I, with dignity, 'hold your tongue; and he held it.

Nevertheless, I did feel a very great craving after the brain of my recent antagonist; my assistant and myself were deeply engaged in photographic experiments connected with the interior organisation of the human head, and subjects just then were not only scarce, but unattainable. In a long, lonely walk I took that very evening, I argued the case both *Pro* and *Con*. with eloquent impartiality, and at last came to a decision in favour of my right to the Head in question. It was, I reasoned, a natural right—and therein superior to any mere legal claim—inasmuch as many savage tribes have a practice of carrying off the heads of their slain enemies, without making any bones of the matter at all. Nature was often a more reliable guide in cases of conscience than Civilisation herself. The matter being thus, as it were, in equipoise, I cast in the claims of Science, and returned home to get me a spade. I was determined, through shame at what had happened in the morning, to make no confidant of Bartholomew in the affair, but to conduct it alone; consequently, I groped my way through the darkness into my study, by way of the window, and felt about for a match wherewith to light the lamp. As I swept my hand over the table after the lucifers, it came against a woolly substance, which almost froze me with terror. Even when I recovered from the shock, its effects were so powerful that I determined to set them down in my note-book as evidences of the strength of morbid imagination. At last I struck a match, and lit the Argand. Never, I trust—it will not certainly be when this my brief imprisonment is ended, and I am led out, an innocent man, to be suspended in the face of day—never shall I experience so hideous a sensation as took possession of my soul at the sight that lamp disclosed! Upon my own table, on an enormous china dish, reposed that very head which I was about to seek in its tomb! Was it only a hideous phantasm? A written paper was lying near it, containing the words: 'Here is a present which I know you will in your heart be glad to get; a fruit which will please

you, although you did not like to pluck it yourself. Yours always, BARTHOLOMEW SHARP.' The revulsion produced by this explanation was too strong for my overwrought nerves, and I fainted right away. The disturbance so created aroused not only the author of this catastrophe, but all the black domestics, upon whom the head of their departed brother produced a sensation such as is only possible among niggers. It is enough to say, that in a very few days we two sons of science were glad enough to see the leagues of ocean lengthen between us and the excitable inhabitants of the tropics, and to find ourselves established at New York.

'There, at least,' thought I, 'in the very centre of the highly forced civilisation of the New World, our investigations into the economy of the human head will run no chance of disturbance from ignorant fanaticism; there, in the sheltering bosom of the large-eyed Eagle of the West, we may laugh to scorn the bald-headed bird of Prejudice; there, beneath the star-bespangled ægis of the Minerva of Liberty'

—in fact, I felt as though I were a native of the United States myself, and could have gone on for hours in that peculiar style of eulogistic eloquence which may well be termed the Yankee's Own. And certainly, in sober seriousness, did ever a country offer greater opportunities to the man of practical science than she? Setting aside her considerable slave population—affording, like some magnificent open-air hospital, a quite unprecedented variety of examples of ill-use and disease—and speaking only of her native and independent citizens, consider the interesting and novel cases which revolvers, life-preservers, bowie-knives, and even the simple but ingenious agency of the human thumb, are perpetually presenting to the student of physical science. To a surgeon, of course, such a nation is Golconda; but even to such as our two selves, it spontaneously afforded, in its continually occurring 'difficulties,' a range of practical study, which it is complained that in our own country even the efforts of government itself have failed to command. The human head was not, indeed, to be had for the asking, but the human eye was to be picked up in every other street; of that opportunity, therefore, we took the fullest possible advantage, and with the following most extraordinary result.

I here solemnly place it upon record, in what is probably my last paper upon this or any other subject, that I was the first person who discovered the astounding fact that, by photographing the retina of the human eye immediately after death, or elimination—as the case may be—the *last image presented to it when fulfilling its visual function can be obtained!* The thing has already made no little noise in Europe, but, from their poverty of experimental material, it is probable that the old countries will be long before they fully recognise the value of the discovery. Be that as it may, I have unveiled a great natural mystery; I have performed the mighty scientific task which it was my favoured lot to be the first to undertake; and now, like other great benefactors, I am about to expiate my virtues with my life. In a few days from this period, in consequence of my too great success in scientific discovery, I shall be hung.

The results of our experiments had been long known only to Bartholomew and myself, but we were now determined to take others into our confidence. It was arranged between ourselves and three of the first surgeons in New York, that the very next case of assassination which should occur in the city should receive elucidation at my hands. It is needless to say that we had no very long time to wait. I myself, passing down one of the principal streets one morning, was the first to come upon an unfortunate citizen in the act of being prostrated by a blow from a life-preserver. I did not see the assassin's face, for he, catching sight

of me, I suppose, coming up with a certain gigantic crab-stick in my hand which I always carry, had at once taken to his heels and fled. I was too late, however, to save the life of the unhappy victim, and he was borne, as had been arranged beforehand, to my own apartments. The surgeons were summoned, and Bartholomew Sharp took charge of the process of photographing the retina. While this was going on, one of the savans began, after the manner of his nation, to improve the occasion by enlarging on the important character of the new discovery, which he, characteristically enough, described as a new proof of American superiority. 'Here alone,' said he—'here alone on the universal airth has it been permitted to science to cause the murderer to be pointed out even from the tomb. Death itself will henceforth have a voice in this gifted hemisphere, and be no longer dumb. The form and face of him who struck the fatal blow—only beheld, as he thought, by his victim's dying eyes—will now be made patent to all the world. By the help of photography, my countrymen, an evidence will be produced which no subtlety of man can set aside; a witness not to be suborned, not to be bribed, not to be deceived, not to be'—— It is impossible to say how long the learned professor might have kept these pleonasm up, had not a shriek from Bartholomew Sharp arrested him, and attracted us to the machine to mark the result that had been arrived at. Alas, that bane of my existence held in his unlucky hand a very accurate photographic resemblance of the writer of this paper as he ran up the street, bludgeon in hand, to the assistance of the wounded man! The last image which had been presented to his retina had been that of myself and my stick! The evidence which no subtlety of man could set aside therefore pointed to me as the murderer of that unhappy man. Bartholomew Sharp was already regarding my bit of crab-tree with that sort of morbid interest which one feels in the razors kept in museums which have been previously used by Mr Greenacre and others, to put an end to their victims. It was just such a blunt instrument, he seemed to think, as that by which the fatal blow must have been given. One of the professors leaned out of the window and beckoned a policeman.

'Gracious goodness,' cried I, 'you don't suppose I did it?'

'That is a matter for a jury of my intelligent fellow-countrymen to decide,' replied he, with a dreadful increase of nasal twang. 'I guess you did; I calculate you wanted a body, stranger, and you couldn't wait for your legitimate opportunities.'

Stonjng Prison, New York, U. S.

VOLUNTEER ARTILLERY.

It is not necessary, on the present occasion, to debate the question whether Britain is in danger of invasion, or whether, even if there be no immediate danger, it is well that the country should be better provided than she is against an attack at all times possible. Enough that there is a pretty general opinion, that Britain ought to improve her means of defence, and that steps are being taken for working out this object. Amongst these is the formation of volunteer artillery corps connected with various districts and localities—a project to which the ministry, moreover, has lent some degree of countenance. Viewing these facts, it seems to us that we shall be in the line of our duty as public instructors, if we give some brief account of this branch of warfare, and what is required to make its efficiency complete. Persons inclined to form corps of artillery will thus be made aware of what is required of them to realise their wishes, and the public at large

will be enabled to judge whether artillery worked by volunteers is likely to be of much use.

Artillery is usually divided into two parts, called siege or garrison artillery, and field-artillery. The first is for the defence of towns or coasts, and is considered to be stationary; the guns are 'in position,' as it is termed, and are placed so as to command roads, entrances to harbours, anchorages, &c. The guns for this purpose are usually large and heavy; they consist of 32-pounders, 8-inch guns, 68-pounders, and—very shortly, it is hoped—of Armstrong's guns. All guns (so called) are capable of throwing solid shot, shells filled either with powder, or with leaden bullets, or grape-shot, and canister.

In heavy guns, the proportion of the weight of the gun to that of the shot is about 2 cwt. to 1 lb. Thus, a 32-pounder gun would weigh about 64 cwt.; in medium guns, this proportion is about $1\frac{1}{2}$ cwt. to 1 lb. The charge of powder for heavy guns is about $\frac{1}{2}$ of the weight of the shot; thus, for a 32-pounder, the charge would be about 10 $\frac{1}{2}$ lb. The charge for light guns is about $\frac{1}{4}$ the weight of the shot; a 12-pounder would therefore require about 3 lb. of powder.

The various parts of a gun, are, first, the muzzle; which extends about a foot to where there are two or three rings around the gun. From these rings to the next is called 'the chase'; just beyond the chase is 'the second reinforce'; on each side of which are the trunnions, upon which the gun rests in its carriage. The trunnions are so placed as to be nearly in the balance of the gun, a slight preponderance of weight coming upon the breech. Beyond the second reinforce is the first reinforce, which extends to the breech; the vent passes through the first reinforce into the bore of the piece; there is then the loop, and the fillet at the extremity of the piece. The size of the bore of a gun is called 'the caliber.'

In the English service, the larger guns, such as 24, 32, 56, and 68 pounders, are made of iron; lighter guns, such as 3, 6, 9 and 12 pounders, are made of brass. Howitzers are shorter and lighter than guns, and are not fitted to throw solid shot; they are used for shells only; and by means of greater elevation and reduced charges, the shell is made to hop along the ground, or to burst, which is found to be very destructive to troops advancing in open column. Large iron howitzers, with a caliber of 8 and 10 inches, are used for garrison-artillery; whilst 12, 24, and 32 pounder bores are used for field-artillery.

In addition to guns and howitzers, there are also carronades and mortars, which may have to be used by volunteer artillerymen. Carronades are shorter and lighter in proportion to their caliber than guns; they have no trunnions, but the piece is attached to its carriage by means of a loop underneath. They were originally intended for the armament of ships, or where there is not much space; but their range is very short, and they are, consequently, in the present day but little used. Mortars differ from guns in being much shorter and thicker, and in having the trunnions at the breech. They are distinguished by the diameters of their bore, the largest at present in use being 13 inches in diameter, the smallest, 4 $\frac{1}{2}$ inches. Mortars are used solely to throw shells or hand-grenades; they are always fired at an angle of 45°, and thus the range is increased or decreased by adding or subtracting powder. The shell ascends to a considerable height, and falls upon the object aimed at, and acts either as a mine, by sinking into the ground and then bursting,

or as a destructive missile, by bursting just over a town, or body of troops.

These being the principal weapons in use, we will now speak of the training of the men who are to use them.

A gun-detachment, as it is called, may consist of eight or more men; each man has his respective duties to perform, and should pay attention to nothing but his own duties. Each man is numbered, and obeys any word of command which refers either to him individually or to the detachment collectively. The duties are with nearly all guns much as follow: No. 1 commands the detachment, gives the words of command to load, fire, &c.; lays the gun—that is, aims with it—and superintends the whole movements. His position is just in rear of the breech of the gun. No. 2 stands upon the right-hand side of the gun, facing the front, and in line with the muzzle. He is provided with a rammer, on one end of which is a sheep-skin sponge, and if the gun be a small one, a rammer-head is on the other end; if the gun be a large one, there will be two—one for the sponge, one for the rammer-head. When the direction is given to load, No. 2 places the sponge in the bore of the gun, pushes the sponge up, turns it round once or twice, and then brings it smartly out. The bring-out is called 'springing' the sponge. The 'sponging' is for the purpose of clearing out the bore of the gun, also to extinguish any smouldering pieces of the former cartridge which might still remain by chance in the bore. This proceeding requires to be well and carefully performed, for if any small pieces of cartridge did remain in the bore, the insertion of a fresh cartridge would be fraught with danger, for the explosion might carry away the arms and sponge of No. 2; and thus the gun would for a time be disabled, in consequence of the loss of the sponge. As soon as the gun has been sponged, No. 2 rams home a cartridge, a wad, and a shot, and immediately resumes his place on the right of the gun.

No. 3 stands upon the left-hand side of the gun, in line with the muzzle. His duty is to take from No. 6 the cartridge, wad, and shot; and when No. 2 has sponged the gun, he places these in the gun in order; taking care that, in the hurry and excitement attending this new occupation, he does not place the shot in the muzzle before the powder, a mistake which has happened with recruits more than once in our experience.

No. 4 stands behind No. 2; and his duty is to cover the vent of the gun with his thumb during the sponging.

No. 5, who stands behind No. 3, fires the gun when the loading and laying are completed.

No. 6 stands behind No. 1, and when directions are given to load, he runs to the rear, and procures ammunition from 7 and 8, who prepare the shells, &c. for use.

All these various duties must be learned practically, and the volunteer must be capable of acting at once, and in any capacity, immediately a word of command is given. It must be borne in mind that in all training there is but one object in view—namely, to fit one's-self for the work to be performed. Thus, the object of the volunteer artilleryman should be to qualify himself to hit an object at a long distance; to load and fire as quickly as possible, and with as great safety as possible; to be able to set to rights any little damage which his gun might sustain; and to watch when, where, and how his fire would be the most effective. These are really the objects to which attention should be paid, and not to the minor details as to how the feet and shoulders should be placed during this or that operation, or how the back of this hand or the thumb of that should be held. Too much attention is frequently paid to such minor matters,

and none at all to the really practical. We want serviceable artillerymen, not show artillerymen. To lay a gun quickly and truly is in itself a science, and requires some practice; but intelligence will often supply the place of practice; and it is not unusual to find an intelligent novice excelling an old trained soldier.

The gun is laid by means of a notch in the muzzle, and another on the base ring; or by means of a sight called the 'dispart sight,' placed upon the centre of the gun. These two being brought into line with the object by moving the gun-carriage with handspikes, the direction is first obtained. According to the distance of the object, so it is necessary to give elevation to the gun; and a small brass scale, called the 'tangent scale,' is fitted on to the end of the gun, and slides up and down. This scale is graduated to degrees and $\frac{1}{4}$ of degrees, and the range or first graze of the shot is increased so many yards for each $\frac{1}{4}$ of a degree, according to the nature of the gun. Under the breech of the gun there is usually a screw, by elevating or depressing which the breech is elevated or depressed, and consequently, the muzzle depressed or elevated. In some guns, instead of the screw, there is a wedge, called the 'coin,' by which the breech is raised or lowered.

Too much practice in laying the gun cannot be had, for upon this the whole efficiency of artillery depends. It is of no use making a noise and merely firing off guns; such a proceeding, if unaccompanied by accuracy of aim, would merely give to an enemy additional confidence. It is the fatal accuracy of aim which is so destructive, and which causes one well-manned gun to be more than a match for three badly manned. To lay a gun well, the artilleryman should keep his eye about 2 feet from the tangent scale, and endeavour to get his line at once—to catch it, as it were—giving his directions clearly and sharply to the handspike men who are moving the breech. His words of command would be for heavy guns, 'Muzzle right,' or 'Muzzle left,' at which words the breech should be moved to the 'left' or to the 'right.' When the true line is obtained, the word 'Halt' stops all movements. At the word 'Elevate,' the handspikes should be placed under the breech of the gun, and then the gun is raised or depressed as required.

The whole of the words of command to a trained detachment would be 'Load,' 'Fire,' all the details may be accomplished without any other words. Artillery is employed in the field to 'cover,' as it is called, the movements of troops, their advances or retreats; to harass an enemy; and to defend the keys of any important position. Artillery never acts alone, but it should always be combined with a force of either infantry or cavalry. It prepares the way for the successful use of both these forces, and paralyses the offensive movements of the enemy. The best position in which to place artillery, is so that the guns may be able to fire obliquely or in flank upon troops. A gently falling slope is the best position for guns to fire from, and they should be placed just beyond the ridge, so that their muzzles alone would appear above the ridge.

It is not usual for artillery to fire upon artillery, unless a battery makes itself very destructive, but the fire should be directed upon the masses of infantry and cavalry.

Great care should be taken that ammunition is never wasted; thus, it is not advisable to fire upon men who are scattered about, except shells containing bullets be used.

The shells are burst by means of fuses, which are fitted into the shell. All fuses burn an inch in five seconds of time, and according to the distance of the object aimed at, so would a fuse be cut shorter or longer.

It is usual for a gunner to have a card, on which are tables of the elevation and length of fuse required for various distances for the gun which he is using.

The principal requisites, therefore, for a volunteer artilleryman are—quick sight; a good judgment of distance; a determination to stand to his guns; a knowledge of how to load and aim a cannon; and a belief that he will not be a more useless member of society in consequence of knowing these things; but that, on the contrary, he will have an additional value in being one of some 10,000 others who could knock over an invader at the distance of 2000 yards, if the occasion required such a performance.

THE GUILTY THOUGHT.

IN TWO CHAPTERS.

CHAPTER II.

A MONTH or more had passed away since the memorable evening with which our story began. Good Mrs Roper had long returned home, little dreaming of the influence her short visit had exerted over the family at the Hall. There had been many other imprudent walks and lingerings in the heavy dew of the midsummer night since the one at which we have seen her shake her kind old head; all the more imprudent, too, because the season was peculiarly sultry and unhealthy, as several cases of fever in the district testified. Yet Mrs Vivyan seldom remonstrated. Never, not even in the days of her early widowhood, had she felt so completely wretched. To her energetic nature, there was something peculiarly trying in a danger that she saw advancing steadily and stealthily, but which she could in no way obviate, nay, could only accelerate by a counter-movement. To discuss the matter with her son would but serve to define in his mind feelings perhaps vague at present; to send Matilda away would rouse in him an opposition that she had never yet provoked, and the strength of which she could hardly calculate. A chilling barrier seemed rising inevitably between her and her boy. For the first time, he had an interest he did not ask her to share; and worse than all, she saw that the artful girl would ere long succeed in alienating not only his confidence but his affections. Often during sleepless nights she would come to the conclusion that anything were better than this growing habit of reserve on Arthur's part. When morning came, she would take her boy's curly head in her hands, as in his childhood, and force herself to smile, while telling him she had guessed his secret; she would treat it as the mere trifling fancy it was; she would lead him to speak of it openly, and then—there should be no violent opposition on her part; but Arthur loved his mother, he would not slight her opinion, calmly, dispassionately expressed—he would not sacrifice her life to this sudden and unaccountable admiration. He would travel; he would see others fairer, higher, worthier. Oh, she was not worldly in her aspirations for her boy! Well-born, as she rejoiced he on both sides was, descended from a long line of men of cultivated and chivalrous honour; yet she could take to her heart some beautiful and innocent peasant-girl, if her Arthur chose her, so only that she were pure and simple, true and loving in nature. In the morning, she would tell him this, and their hearts would be open to each other once more. Morning came, and again it seemed impossible to touch upon the hateful subject. Some glance or tone of tenderness on Arthur's part would scare back the words Mrs Vivyan had been planning. He too surely loved that girl to make reasoning with him now of any avail; she must trust to circumstance, and to the variable fancy of early youth. So days and nights passed away in miserable indecision. Meanwhile, August had set in, and the time for Matilda's return to school was drawing near. Arthur, too, received a

pressing invitation from his college friend, Harness, to join him in Ross-shire on the 12th. The young man, like his father, was a capital shot. He was sorry, though, to lose two or three days of Mattie's presence. She was to travel up to Hampstead on the 13th; he must depart on the 9th, if he was to reach old Harness's moor in time. There were two beating hearts at the breakfast-table the morning that he discussed his friend's letter. Mrs Vivyan dared not urge his going, she wished it too intensely. Mattie dared not deprecate it. Left thus to himself, the sportsman prevailed over the lover. But perhaps the mother drew from this too favourable an augury, and the young girl was too much depressed by it. What, after all, he was saying to himself, were these two or three days? He was so sure of her heart, there was none of the excitement of suspense on that score. At Christmas they should meet again—she was coming home 'for good,' then. Ah! if Mrs Vivyan, if Matilda could have seen the workings of the young man's mind as he sat and pondered over and about that letter, how the hope of the one would have been quenched, the anxiety of the other lightened!

There was a long ramble the evening before Arthur's departure. His mother sat and waited with death in her heart. Matilda returned with cheeks deeply flushed, and shining eyes—with something of elation, of triumph, too, in her manner, Mrs Vivyan thought. O God! she *hated* that girl. What cunning, underhand motive was this now, that led her, before the evening was over, to pretend a headache, and retire early? Arthur had his own interpretation. The kind little heart was heavy, he thought—longed to be alone; and there would be time for leave-taking in the morning. Left with his mother, he moved the lamp to the next room, and prepared, as he said, for a long cozy chat in the twilight. Throwing himself down on the floor at full length, he rested his head against her knee; she bent over him, silent through unutterable love. Her boy, her own beautiful boy! She twisted his dark curls round her fingers; she looked into his deep gray eyes—how like his father's they were! That old agony revived. A tear or two fell heavily on her son's face. He started—he had never seen her weep. 'Why, mother, you are not low, surely, because I am leaving you for a month or so? You are not well,' he went on tenderly; 'you have been looking pale for some time back, and out of spirits, too. Mother,' said the young man with a sudden effort, 'I want to speak to you a little about Mattie.'

Mrs Vivyan's heart beat wildly, but her tears were at once dried. 'What of Mattie?' she said in a tone she tried hard to render indifferent.

'I wish you liked her better; I wish you thought better of her.'

'Arthur, have I ever failed in kindness towards her? Had she been a relation of my own, or of your father's, instead of what she is, could I have been more anxious to give her every advantage of education? My boy, are you not a little unreasonable?'

'No, mother, I am not. I own that you have been noble and generous; that you would always be; but you do not love her, and she feels it deeply.'

'She has sought to estrange you from me by pretending to a regret she does not feel. Matilda wants only material benefits from me, Arthur; she is most philosophically indifferent, believe me, to that impalpable, impossible gift of love.'

The words were no sooner spoken than Mrs Vivyan regretted them. She had betrayed what she sought to hide. She had spoken bitterly. This was not the dispassionate tone by which she had meant to lead her son to observe for himself the character now under discussion.

Arthur jumped up hastily. 'Well, mother, it's no use, I see; whatever I say makes matters worse. You have an unaccountable prejudice against this poor girl; but you'll try to overcome it, if—if— Nay, you need not start, mother; it's absurd, you know, at my age, only I don't think I'm of a very variable nature. Well, well, mother, we'll not talk of it again for three years at least. You look ready to faint; but if I ask it of you then, you'll overcome your prejudices for your son's sake!' And having said this in rather an unsteady, husky voice, the young man kissed his mother with his old boyish fervour, and left the room without waiting a reply.

The next morning, Arthur was down early. There was a copy of Tennyson to be given to Mattie; there were last words. She was sure to be strolling on the terrace before breakfast. No; she was not there; and, odd enough, her blind was still down. His mother was making the tea as he re-entered the dining-room. 'Matilda has a headache this morning,' she said, before he could even inquire the reason of her non-appearance. 'My maid came to tell me this. I have seen her. You have been a good deal out late in the evenings, and she has probably taken cold. During the spring, her schoolmistress wrote me word, she was very subject to slight attacks of the kind. I advised her to remain in bed for breakfast.'

'My mother did not wish us to meet again,' thought the young man, stirring his tea in rather ungenial mood. 'Mattie has been crying herself into a headache, I daresay. I half wish I had not promised to go to old Harness after all.' In a few moments the dog-cart was at the door, and Arthur, taking a rapid leave of his mother, said: 'You'll let me hear by to-morrow's post how she is, how you all are'—and drove away, looking back as long as he could to that one window with the blind still down.

Mrs Vivyan soon returned to Matilda's room. The breakfast stood untouched on a small table near the bed. The young girl lay huddled up and shivering, though the morning was oppressively warm. Her eyes were dull and heavy, and she complained of violent headache. The thought of something more than cold, of fever—the fever of which several in the village had sickened and died—flashed through Mrs Vivyan's mind. She crushed it back as though it were a crime. 'You have taken a severe cold, my child,' said she, in a tenderer voice than her wont in speaking to Matilda; 'we will send for good Dr Ashford, and he will tell us what to do. Meanwhile, you must not rise; let me send and have your room made neat and comfortable;' and Mrs Vivyan looked round her with something of a shudder. To her refined taste, the disorder of poor Mattie Thomson's arrangements was positively painful—hat here, scarf there, gloves and shoes everywhere, the writing-table in confusion, the books in the shelves out of their places. Had Matilda been in less pain, few things would have annoyed her more than the comprehensive glance Mrs Vivyan cast round the pretty but untidy room. As it was, she only wrapped the clothes around her still more closely, and went on shivering. In half an hour's time the room was reduced to perfect order by Mrs Vivyan's own maid, who—Miss Thomson being no particular favourite of hers—shrugged her shoulders a good deal during the process. Soon Mrs Vivyan entered with a bunch of exquisite white tea-roses and flowering myrtle, and having given to the room those slight finishing touches on which so much of a refined woman's own comfort depends, took her place near the bedside, to await the doctor's arrival. Some hours passed before he came; he had been summoned, he said, to a bad case at the other end of the parish. Matilda's face was now deeply flushed, and she threw off the clothes she had gathered round her before. Her eyes were blank and heavy, and still she seemed disinclined to talk, only

complaining that her head ached, ached terribly. The doctor felt pulse and brow, lifted the masses of light hair from the throbbing temples, and said, in a coaxing tone of voice: 'We must cut some of these pretty curls away, my dear; no wonder the poor head aches with such a load.'

'Oh, no, no! I won't have my hair cut,' said Mattie, starting with a transient degree of energy; but she was too weak to contend the point, and soon sank back moaning.

Mrs Vivyan followed the doctor out of the room. No mother could have waited his verdict with paler cheek or more wildly throbbing heart. 'I must not conceal from you that it is a case of typhus—typhus, my dear madam, and I am sorry to say, apparently a severe attack. The pulse is 110. In your airy house, and with all appliances, of course the danger of infection is much diminished; at the same time, I should suggest your sending for an experienced nurse, and exposing yourself as little as possible. Miss Thomson is young, and therefore we may hope the best; but these are tedious and anxious cases—tedious and anxious,' repeated the doctor, dipping the pen into the inkstand, and preparing to write his prescription.

'I myself shall nurse Miss Thomson, Dr Ashford; but I will adopt your suggestion, and at once send for an experienced nurse to help me, and to preclude the necessity of employing the other servants in the sick-room.'

'Well, my dear madam, I can only say that your resolve is very characteristic, but that I regret it. The greatest number of cases are young people, quite young; at the same time their chances of recovery are much greater than in later life. I am glad Mr Arthur is gone off to Scotland—upon my word, I am. He passed me this morning looking uncommonly bright and well. You will order Miss Thomson's room to be kept cool and airy; not much to be done just now; but I may trust to you, I know, to see the medicines regularly given. I will call again to-morrow morning.'

All that night Mrs Vivyan watched in Matilda's room. The poor girl was impatient and querulous, and thus added to that worst of sufferings the intense restlessness that accompanies fever. Very gently Mrs Vivyan replaced the light coverlet, which was all the patient could now bear, and which, at times, she flung off as intolerable; very tenderly she laid her cool white hand upon the burning forehead; very skillfully she shook the pillows and changed the sufferer's attitude; and all that time she was wrestling with one thought—that of this fever proving fatal; resolutely wrestling lest it should shape itself definitely into a guilty hope, a hideous joy. 'No, no,' she kept ceaselessly repeating to herself; 'these young creatures, the doctor said, generally recover. Matilda is sure to recover—quite sure. It is not, I think, a severe case; it came on so suddenly. It is an aggravated cold. She will recover—she is quite sure to recover.'

When the morning came, the doctor looked still more grave. The face was shrunk and old; the mind seemed affected. That day, the nurse arrived, but Mrs Vivyan still watched by the bedside the greater part of the night. 'I will do all for her that the tenderest mother could do,' she inwardly resolved. 'Were it Arthur, I could not nurse him more assiduously than I will nurse this girl. Arthur! Oh, I must write to him to-day. I must conceal from him the nature of the attack. For the first time in my life, I must deceive my boy.' And reflecting with joy that the Ross-shire moor was a three days' post at least from her Dorsetshire home, and resolving that her letter, though written the second day after her son's departure, should not be posted in time, she wrote a shorter note than usual to her darling, telling him that Matilda's feverish cold prevented her return to school just then, carefully avoiding all mention of Dr Ashford and his fears, which she still sought to

persuade herself were unreal. It could not be typhus—there could not be danger; Matilda would not die!

'Poor lady,' said the nurse that evening to the house-keeper, a motherly body, free from fear of infection, who often looked in at the door of the sick-room—'poor lady, she won't hear of any danger; she hangs about the bed like any mother. I think it's a very bad case; but I daren't say so, she's so set upon it that Miss Thomson will recover. That's the way sometimes with those who care most for the sick person, though just as often, too, they are the first to give up. It's better this way; it keeps them going. Mrs Vivyan is wonderful, so kind and so brave. I've not seen a tear in her eye yet, she's so set her heart on it that the young lady will recover.'

But a week passed—ten days passed, and there was no sign of recovery. All that kind and judicious nursing could do, was done, apparently in vain; every change was from bad to worse. On the evening of the 22d of August, nearly a fortnight from the first seizure, the suffering within that pretty room seemed drawing to a close. The large French window was thrown open, and through it came a soft summer breeze, telling of the beds of mignonette and heliotrope on each side of the broad steps that led down from the room to the terrace-walk below. The muslin curtains, partially drawn, waved to and fro in this perfumed breeze. Every now and then, the cawing of the distant rooks and the cooing of the wood-pigeon were heard. Without, all so fresh, and beautiful, and happy; within, all so sad and hopeless. The bed had been drawn out into the middle of the room; its curtains were looped up; the light fell full on the wasted form. There had been much delirium, affording transient glimpses of the selfish and frivolous secrets of that poor little mind, whose plots, hopes, purposes, were all incoherently but plainly enough revealed to the quick ears of one watcher, though they seemed mere raving to those of the nurse. But this stage had passed away. The young girl now lay comparatively quiet, breathing heavily, and moaning from time to time. Her eyes were half open and dull, her face livid. Mrs Vivyan kept moistening the parched lips with a little wine. On a small table near the bedside stood two or three half-empty bottles, all that Dr Ashford's skill could suggest, and these the patient had not been able to take for the last four-and-twenty hours.

The nurse was busy about the sufferer, smoothing the clothes, stroking the restless hands, moving the pillows, for a kind nature cannot passively contemplate suffering; and whether the sick are soothed or not, these little loving ministrations give some comfort to the watchers by their bed of pain. 'It won't be long now, ma'am, I'm sure. Poor lamb, she's going fast, I can see. I wish the doctor may come before all is over. She does not hear a word we say, ma'am; no fear of disturbing her; but do, ma'am, sit down yourself; you're ready to faint. I never saw any one so pale. She wants nothing, and it's too much for you to see the very last; I'm used to it, but somehow it goes to my heart, so young as she is;' and a tear rolled down the nurse's cheek as she spoke. Mrs Vivyan kissed Matilda's forehead, and moving to the window, sat down.

For the first time, tears gathered in her large dark eyes, and her heart felt full of a sweet and sorrowful tenderness. The poor young girl! Now that she was dying, she could inspire nothing but affectionate pity. Mrs Vivyan thanked God for the sorrow she could sincerely shew. She had done her part; night and day she had watched and soothed. Never was daughter better tended. For that, too, she was thankful. How calm and beautiful the outer world was! Her thoughts flew to her Arthur; he would

grieve; she feared, indeed, that he would grieve acutely; but upon his active mind, in his full fresh life, sorrow would gain no permanent hold, would find no congenial soil. He would forgive his mother for having disguised from him the nature of the attack. Had she not done so, had she risked recalling him to the infected house, there had been no interval of consciousness. Matilda could not have felt the comfort of his presence; and what mother would have endangered her son? No; he would forgive her for the half-truths her two letters had contained, and they would again be all in all to each other. God was gracious. Her noble boy was not to be linked with a lower nature, not to be beguiled by a transient fancy into a life-long regret. This poor child too; her life had been hitherto a bright and happy one; well for her that it closed early, before the selfishness darkened, and frivolity became worthlessness. All was well; all would be well. Meanwhile, her whole nature seemed to melt into ineffable tenderness and quiet; refreshing tears followed each other down her pale and noble face, and fell unnoticed on the clasped hands upon her knee. Very quietly the door opened, and the doctor appeared. Mrs Vivyan rose. He bent down over the patient with an eager look; he felt hands, brow, pulse; he took out his watch—he felt the pulse again. The nurse looked at him sorrowfully, and shook her head. Strange that he meets her eye without an answering glance of pity. He seems perplexed, and again looks closely at the patient's skin. Mrs Vivyan stood at the bottom of the bed, and convulsively grasped the footboard.

'Compose yourself, my dear madam; I do believe our young charge will live. You deserve it; upon my word, you do—you have been such a first-rate nurse; yes—'taking out the watch again—'the pulse is gone down to 90, and there is a slight moisture on the skin—very slight. Still, if she sleeps, if she only sleeps, she will recover. We must have the room kept as quiet as possible; the window may remain open for the next hour or so—can't have too much air in these cases; nothing to do but to sit by and watch, and see that the patient be well covered. We must promote this salutary moisture. I would stay myself if I had time. One person in the room, though, will be quite sufficient; and you, my dear madam, will, I hope, try to get some rest, for you look worn out; you do, indeed.'

'I shall not leave,' said Mrs Vivyan in a voice that seemed to have lost all its tone, and that made the doctor start—'I shall not leave till the crisis be past: no fear of my sleeping.'

'No fear indeed,' said the nurse; 'I never saw such a one to watch.'

'You may go, nurse; I insist upon it. This is my post; leave me here.'

As they left the room, the doctor remarked to the nurse that if Mrs Vivyan herself was not taken ill, he should be very thankful; but that there was a wildness in her eye this evening that he did not like, and that he should return about midnight to know how things were going on, and himself insist upon relieving the watch this excellent lady was so bent upon keeping by the sick-bed. Meanwhile, he urged the nurse to take advantage of her resolve, and snatch a few hours' sleep till his return.

Left by herself, Mrs Vivyan stood long in the attitude in which they left her. The evening closed in; the last rook had cawed itself silent; the breeze that brought in the perfume of the flower-beds grew somewhat chill; the clothes should be gathered closer round the sleeping girl; she does not move to do so; she is not thinking any longer of such kind ministrations. All the bitterness of the past is sweeping over her soul. The fatal morning when that woman's letter came, that woman who had stood between her

and her husband's unreserved confidence; who had embittered their last parting, whose name was on his dying lips as she kissed them in the agony of her own 'late repentant love;' the many years she had endured her presence, her vanity, her littleness—all this was present with her now, all this had to be lived over again in this torturing hour. And now—it is this woman's daughter who stands between her and the son of her unutterable love. It is this girl who triumphs! She has striven in vain, prayed in vain; the struggle is over—God is against her! Suddenly she starts—her ear has caught, she fancies, a faint sound of wheels. It stops. It must have been the wind only. Who could be coming at this hour? The doctor would not return till morning. Arthur! Oh, he at least is safe, far from this infected house and district. But he will return, and he will find this girl recovered! He will love her the more for the sickness and the danger past. Her ravings, incoherent as they were, have told enough to shew that already there is something of a pledged promise between them. There is no hope—none! None if she lives! But *must* she live? Might not this sleep be broken?—might not the fever return? Mrs Vivyan moves softly to the head of the bed, stoops down close: the breathing is laboured still, the flush deep; but still the moisture on the brow, and still this sleep, which the doctor says will save her! O for some thunder-clap to startle her out of it; some cry of fire, some ruin to this stately house—all welcome, thrice welcome, so that this sleep were broken! The evening air blows very freshly in, lifting the muslin window-curtains till they sweep the dressing-table: should not the window be closed, lest the patient be chilled? No; the doctor said it might remain open for an hour or more. She takes out her watch: only one hour; scarce one since he left. This lifetime of agony, not sixty minutes by that little watch, and all her future life will be this same protracted torture. Arthur more and more estranged from her by underground influence, more and more degraded in character by this unworthy love. Unless—unless! Why, this life, this poor worthless life, precious to none. What was the fancied passion of a boy? Whom did Matilda ever even seek to serve? This life, a blight upon her son's future, a poison to her own nature, what sin were it if her hand shook the balance in which it was trembling now? If, daring to push aside this paltry obstacle from his upward path, she were to save her boy. This thought startles her less, seems less a sin than did that first hope that this sickness might prove the fever. More miserable now she could not be, nor more guilty. This hatred in her heart was murder. Again a rush of wind wilder than before. How strange it sounded on the gravel-walk! almost like footsteps. No! it is the violent beating of her heart and temples at the thought that flashed in upon her mind with that last gust. Another such, only a little stronger, and that small table, with its medicine-tray, with these bottles, might fall, and falling, the sound would waken Matilda! Quick and noiseless as light Mrs Vivyan has moved—her hand is on that table. The white soft hand, how heavily it leans—the slight table inclines; a further pressure, and it will fall! Her face is fearful to see, so set, so ghastly. Her eyes are fixed upon the sleeping girl, but she sees nothing, hears nothing, so terrible the strife within. Suddenly, a hand is laid upon her shoulder—a start, a scream, a crash, and she has fainted on the floor.

How it came about that Arthur was there, is simply explained. Two days before, he had received a letter from his mother, mentioning, indeed, Matilda's protracted indisposition, but little calculated to awaken fear in any but a lover's heart. The young man was saddened, however, and his face shewed it plainly. Now

the same post had brought his servant a letter from a young woman in the village, telling, with some degree of customary exaggeration, how that Dr Ashford was night and day at the Hall, and Miss Thomson all but given up. Seeing, therefore, a cloud on his young master's face, Saunders naturally concluded that he, too, had received a like report, and with the lugubrious satisfaction men of his class feel in the excitement of bad news, proceeded to comment on it. Arthur set out that hour and travelled day and night. They were his wheels that his mother heard. He had met Dr Ashford on the road, and been told by him of the present crisis, and the hope of recovery. Dreading even to make his arrival known, lest anything should occur to disturb this blessed sleep, he had sent back carriage and servant to the village, and jumping out at the gate, had crept round the house unseen by all, and made his way to the window of his mother's room. There he had watched till the rising wind made him tremble lest the open window should chill her; yet he feared to startle his mother by his sudden appearance into a sound that might rouse the sleeper. He would steal up the steps very gently; he would look in unseen; his mother would be watching by the bed. His mother! Could that woman be his mother who stood there with that deadly look on her face? A horror came over him, and entering, he laid his hand on her shoulder.

But Matilda? Too surely, she had waked at that wild scream and crash—waked but half conscious, and in violent agitation, which the presence of Arthur served to increase. He took her in his arms—he kissed her lips—he tried to soothe her. When the nurse and housekeeper rushed in, scared by his violent ringing, they were scared still more by his presence and the sight of Mrs Vivyan prostrate in a death-like swoon. When the doctor returned at midnight, he pronounced his patient's case hopeless. Two days later, she sank. Arthur never left her. His agony was heightened by the conviction that he had been the means of her death. For though the recollection of that look on his mother's face froze his soul, he never guessed at the purpose with which she was standing there, and believed that the start he gave her was the cause of all. In his despair, he clasped the dying and unconscious girl in his arms—in his despair, he hung over the clay till they hastened to bury it out of his sight. Mental distress and violent exertion combined had predisposed him to the influence of contagion. On the evening of the day that Mattie was laid in her mother's grave, he began to shew all the early symptoms of the fatal fever. Long and devotedly did the mother nurse her darling boy; but from the first, she had no hope of his recovery. No one guessed the truth, but she knew that in heart and will, if not in deed, she was a murderess. It could not be that God would spare her son! Nor was he spared. When the raging fever was over, rapid decline followed. She had not separated Arthur and Matilda; she had but killed them *both*. We have said that no one guessed the truth. The servants and the doctor at once adopted a seemingly obvious explanation. Mrs Vivyan, worn out by long-continued watching, had lost her usual power of self-control. Startled and shocked by her son's unexpected appearance in the infected room, it was but too natural that she should faint away. Nay, Arthur, as we have seen, blamed no other but himself; and yet that strange stony look on her face had left a vague sense of horror and estrangement on his mind; and often in his ravings he would push her away, and say she was not his mother. Even when reason returned, little remained of their old relation to each other. Arthur was grateful rather than affectionate; his mother devoted, submissive, but fond and caressing no longer.

Her demeanour was that of a slave rather than a parent. The image of the girl she had purposed to kill pushed her away from her boy's pillow. There was blood-guiltiness on her soul, even if that white hand were free. She was not worthy to take her Arthur in her arms as heretofore. So the days passed, he growing weaker and weaker—his mother's heart crushed beneath the burden of her intolerable secret, even more than by her intensity of sorrow. Thin and haggard, her rich hair suddenly streaked with white, her manner abstracted to all, abject in its humility to Arthur, Dr Ashford shook and tapped his head ominously, and whispered to the nurse that he only hoped the mind would hold out!

One fine October morning, the young man, in the restlessness of weakness, entreated to have his chair wheeled into his mother's room. He wanted, he said, to look out of that window once more. When there, old associations of childhood, early youth, all inextricably blent with her love, came sweeping over his memory, and as the tears ran down his wasted face, calling her to him, he hid it on her breast. She motioned to the nurse to leave them. The courage of a broken heart came over her, and she knelt down beside her son. None ever knew what passed between them, but it was pronounced by doctor and nurse that the exertion and emotion occasioned by the change of room had been too much for their patient. In the course of the night, alarming symptoms set in; when the mid-day sun next streamed into the sick-room, it was plain that the young man's life was fast, fast ebbing away. Very sad the beauty of the dying face, but sadder far the despair in the mother's. It was she who had laid her darling there. This, then, was all her love had done for him. O God, that Matilda were living at this time! that they two were wandering hand in hand in the sunshine, and she could lay her down and lie forgotten in her grave! She catches the significant expression on the doctor's face: Arthur is going to die, is dying—and he will not look at her, will not speak to her. She raises him in her arms—she calls him by every name of fondness she called him by in childhood. Something of a smile passes over his face. Oh, surely he sees, hears her, feels her love. His lips part—it is over! The nurse thought he had said, 'Mother;' Mrs Vivyan knew that his dying word was 'Mattie!'

A DISRESPECTABLE PAPER.

'YOUNG MAN, never use *slang*,' was a remark made to us in our youth by Uncle Squaretoes, upon the occasion of our having entitled him, in an outbreak of genial affection, a *grand old buffer*. 'It is a sure sign in him who uses it of going to the dogs.'

'The late Alderman Penguin talked a good deal of *slang*,' returned I, with quiet triumph, for my uncle had been wont to swear by the alderman, I knew.

'Yes,' replied Mr Squaretoes, with warmth; 'and when he died, we saw what came of it. While everybody thought he had made at least his *plum*, his great estate, for all his *bulling* and *bearing*, was in reality heavily *dipped*. He was known on the Stock Exchange as being little better than a *lame duck*. It would have been actually preferable if he had been *white-washed* at once, than that his balance-sheets should have been *cooked* in the manner they were. No, no, young man; take my word for it, that there is nothing so indicative of A SCREW LOOSE somewhere in a man as the use of *slang*; and if you wish to see the colour of my money, you will avoid it.'

In the face of such a threat, I was not foolish enough to point out to the old gentleman the five examples of commercial *slang*, the two of legal, or the three of miscellaneous, in which he had himself indulged during his brief rebuke. The jolly old

bird has been *grassed* in this long time—and I am happy to say that he *cut up* for a good deal of money—but I always think of my Uncle Squaretoes when I hear anybody taking the English language under his protection and denouncing innovations. Happy is the man who does not live in a glass-house—nay, in quite a conservatory—in this respect, and who can venture to cast a stone.

The Gallican gibberish which pervades drawing-room conversation, or, at all events, drawing-room novels, is not only not English, but not French. It has been well observed that if a well-bred Frenchman were informed that there was anything upon the *tapis*, he would assuredly go down upon his knees to look for it; that if he were told of the *beau monde*, 'he would imagine it meant the beautiful world that God made, not the half-dozen streets and squares between Hyde Park Corner and the Chelsea Banhouse;' or that if he were asked to a *thé dansante*, he would not know what it meant. And with regard to drawing-room *slang*, if it comes to a choice of evils, we confess we much prefer the laudatory vulgarisms of *stunning* or *screaming*, to their equivalent, in fashionable and feminine parlance, of *cheeearming*—or 'charming' in eight syllables.

What is *keeping harmony*, *middle distance*, *aërial perspective*, *delicate handling*, *nervous chiaroscuro*, but the *slang* of the Studios? What is the endeavour to unbecomingly elongate the most sacred names, and the artificial whine in which we sometimes hear an entire sermon recited, but the *slang* of the Pulpit? Indeed, if we were to open up this subject—which is the *slang* of Commercial Enterprise—and *ventilate* it thoroughly—which is the *slang* of Newspaper Politics—we should not know where to stop. Since we have shewn that *slang* of some sort is common to all ranks, it can scarcely be said that the subject is unworthy of investigation. 'A London Antiquary'* has at all events considered it of sufficient interest to justify him in giving us a Dictionary of the *slang* in use in the London streets, in the two Universities, in the Houses of Parliament, in the dens of St Giles, and in the palaces of St James. According to his own account, he procured his information concerning the more unapproachable classes while he was collecting materials from old ballads, penny-histories, and other printed street narratives, for a forthcoming History of Cheap Literature; he frequently had occasion to make the acquaintance of divers chancers and patterers in Seven Dials and the Borough; and with some of these men an arrangement was made that they should collect the cant and *slang* words used by the wandering tribes in London and the country. To prevent deception and mistake, the words and phrases thus gathered were checked off by other chancers and tramps similarly employed; and the total result is now presented to us. Three thousand words—notwithstanding that all immodest ones have been carefully excluded—have thus been added to the thirty-eight thousand words in the English language. In the Dictionary, the *cant* and *slang* terms are classed together, from the exceeding difficulty of arranging them separately, but they are in reality quite distinct and separate terms. 'Cant, apart from religious hypocrisy, refers to the old secret language, by allegory or distinct terms, of gipsies, thieves, tramps, and beggars. Slang represents that evanescent, vulgar language, ever changing with fashion and taste, which has principally come into vogue during the last seventy or eighty years, spoken by persons in every grade of life, rich and poor, honest and dishonest.' Cant, in the lapse of time, often becomes *slang*; the words *prig* and *cove*, for

* A Dictionary of Modern Slang, Cant, and Vulgar Words. By a London Antiquary. Hotten, antiquarian bookseller, Piccadilly.

instance, which are now mere street vulgarisms, having been once cant and secret terms.

'It would appear,' says Mayhew, 'that not only are all races divisible into wanderers and settlers, but that each civilised or settled tribe has generally some wandering horde intermingled with, and in a measure preying upon it. In South Africa, the naked and miserable Hottentots are pestered by the still more abject Sonquas; and it may be some satisfaction for us to know that our old enemies at the Cape, the Caffres, are troubled with a tribe of rascals called Fingoes—the former term, we are informed by travellers, signifying beggars, and the latter, wanderers and outcasts.' These wandering tribes are all remarkable for their use of a cant language with which to conceal their designs and plunderings. 'The secret jargon, or rude speech, of the vagabonds who hang upon the Hottentots is termed Cuzecat. In Finland, the fellows who steal seal-skins, pick the pockets of bear-skin overcoats, and talk cant, are termed Lappes. In France, the secret language of highwaymen, house-breakers, and pickpockets is named Argot. The brigands and more romantic rascals of Spain term their private tongue Germania, or Robbers' Language. Rothwalsch, or Red Italian, is synonymous with cant and thieves' talk in Germany; while the crowds of lazy beggars that infest the streets of Naples and Rome, and the brigands near Pompeii, have a secret tongue which they call Gergo.

Upon this subject a writer in *Notes and Queries* well remarks: 'The investigation of the origin and principles of cant and slang language opens a curious field of inquiry, replete with considerable interest to the philologist and the philosopher. It affords a remarkable instance of lingual contrivance, which, without the introduction of much arbitrary matter, has developed a system of communicating ideas, having all the advantages of a foreign language.' Cant, in the sense of pulpit hypocrisy, is derived in the old *Spectator* from one Andrew Cant, a Presbyterian minister in some illiterate part of Scotland, who had obtained by use the power of preaching in such a dialect that he was not understood by any but his own congregation, and not by all of them; but cant, in the sense we are speaking of it, is derived from *chant*, a beggar's whine; *chanter*, a street-talker and tramp, being the very term still used among vagabonds. There seems to be little doubt that the secret language itself originated with the gipsies, who came over into the country early in the reign of Henry VIII. In illustration of the connection of cant with the Cingari tongue, we have offered to us a list of gipsy and (often) Hindoo words with their English adoptions. Among these, the more familiar cant (now slang) expressions are: *Bosh*, which the London Antiquary—and not we—says is Persian for 'rubbish;' *Mull*, which is gipsy for 'to spoil or bungle;' and *That's the cheese*, which he affirms to be a Hindoo expression. We ourselves believe that the Antiquary might have looked much nearer home for this last derivation. *The correct thing*, and *the thing*, to express 'the fashion,' have been long in use among the vulgar; and it may be more easily imagined that this may have been Frenchified by some fellow proud of his foreign acquirements, into *the chose*, and so into *the cheese*, than that the word ever came from the sunny plains of Central Asia. We are the more inclined to distrust our author in this matter, inasmuch as some of his subsequent derivations are manifestly far-fetched, not to say absurd.

In defining *Bobby*, the well-known slang for a policeman, he says: 'Bobby is an old English word for striking and hitting—a quality not unknown to policemen.' While the simple fact is, that *Bobby* is a familiar application of Sir Robert Peel's baptismal name to the policeman, who is usually designated

a *peeler*, in more obvious compliment to the memory of him who passed the New Police Act. *All my eye* and *Betty Martin* is well known to be an adaptation of the Popish prayer, *Oh mihi, beate Martine*; but we are not so sure that *Humbly*—which Richardson denies a place to in his Dictionary, although he uses it to express the meaning of other words—is a corruption of Hamburg, 'from which town so many false bulletins came during the war in the last century.' We also receive with caution the statement that small boys in the United States are permitted by their guardians to *Gol Darn* things, and so are prevented from actual profanity, or that such a moral waste-pipe for juvenile passion as *By-the-ever-living-jumping-Moses* is ever laid on by a judicious parent.

However—to return to the Cingaris—our London Antiquary 'feels confident that there is a gipsy element in our English language hitherto unrecognised;' and instances 'jockey,' which means, in the gipsy tongue, 'a whip;' and 'bamboozle,' which has so sorely puzzled the lexicographers.

Some words have, it seems, been elevated from cant into perfect respectability. 'Chete was in ancient cant what "chop" is in the Canton-Chinese—an almost inseparable adjunct. Everything was termed a chete, and qualified by a noun adjective, which shewed what kind of a chete was meant; for instance, "crashing chetes" were teeth; a "moffling chete," a napkin; a "grunting chete," a pig, &c. Cheat, now-a-days, means to defraud or swindle, and lexicographers have tortured etymology for an original—but without success. Escheats and escheatours have been named, but with great doubts; indeed, Steevens, the learned commentator of Shakspeare, acknowledged that he "did not recollect to have met with the word *cheat* in our ancient writers."* Cheat, to defraud, then, is no other than an old cant term, somewhat altered in its meaning;† and as such it should be described in the next Etymological Dictionary.'

Pek was in cant language 'meat,' and we now say, when we are hungry, that we are *peckish*. The vagabonds, it seems, lay every tongue under contribution to furnish forth their strange vocabulary. 'Argot is the London thieves' word for their secret language—it is, of course, from the French, but that matters not, so long as it is incomprehensible to the police and the mob. Dominé, a teacher, is from the Latin; and Don, a person of importance, has been filched from the Spanish. Donna and Feeles, a woman and children, is an odd mixture of Spanish and French; whilst Dudds, the vulgar term for clothes, has been pilfered from the Gaelic. Feele, a daughter, from the French; and Frow, a girl or wife, from the German—are common tramps' terms; so are Gent, silver, from the French Argent; and Vial, a country town, also from the French. Gip, a college servant, very appropriately comes from the Greek Gups (a wolf); Horrid-horn, a fool, from the Erse; and Gloak, a man, from the Scotch.' *Crack*, in the sense of excellent—a *crack* corps—was not a vulgarism in Henry VIII.'s time, nor was to *crack up*, in the sense of praise, which has now become so popular an Americanism. *Dodge*—a cunning trick—is from the Anglo-Saxon; and ancient nobles (says the London Antiquary, and not we) used to get each other's *dander* up before appealing to their swords. *Gallivanting* was an exceedingly polite expression; and a clergyman, preaching at Paul's Cross, thought nothing of bidding a noisy hearer to 'hold his gab.' It would have lowered the great Lord Bacon, in the opinion of Uncle Squaretoes, had he known that his lordship writes of the lower part of a gentleman's face as his *gills*. Finally, the phrase,

* Shakspeare's *Henry IV.*, Part ii. Act ii. Scene iv.

† It is easy to see how cheat became synonymous with fraud, when we remember that it was one of the most common words of the greatest class of cheats in the country.

'I'll make him *buckle* under'—which word is used by Shakespeare in *Henry IV.* (Part ii. Act i. Scene i.), but of which the commentators supply no other example—is common in the mouth of every London costermonger to this day.

Slang, properly speaking, is the language of street-humour, and of fast life whether high or low; and it was at its height—under the name of *flash*—when the Prince Regent was in his rakish minority. Webster and Ogilvie are the only lexicographers who mention it; Johnson admitting it indeed, but only as 'the prettite of slang!' It is not derived from 'the slangs or fetters worn by criminals, and so called from requiring a sling of string to keep them from the ground,' but from a gipsy word signifying gibberish. The familiar wants and failings of life are, as might be expected, well represented by it; there being no less than thirty-four terms to express the degrees of intoxication, from the first stage of *bokiness* to that last scene of all in the sad drama of Drink, wherein the sufferer *can't see a hole in a ladder*; while the coin of the realm is insulted by no less than one hundred and twenty distinct nicknames, from the humble *brown*, or copper, to the aristocratic *fimsey*, or bank-note; nay, if we include theatrical slang, by one hundred and twenty-one; for should no money be forthcoming in the form of salary, the Company is facetiously informed of it by the phrase, 'the *ghost* don't walk.'

It will be news to many persons that, in addition to a secret language, the wandering tribes of England have a system of hieroglyphics of their own; private marks and symbolic signs by which to record their successes and failures, and thereby to give advice to succeeding beggars. The whole country seems to be dotted over with these beggar finger-posts and guide-stones. Mr Rawlinson, in his Report to the General Board of Health, from Havant, declares:

'There is a sort of blackguards' literature, and the initiated understand each other by slang [cant] terms, by pantomimic signs, and by hieroglyphics. *The vagrant's mark may be seen in Havant, on corners of streets, on door-posts, and on house-steps. Simple as these chalk-lines appear, they inform the succeeding vagrants of all they require to know; and a few white scratches may say, "be importunate" or "pass on."*

Again, in *Notes and Queries*, under the head of Mendicant Freemasonry, there is this very singular statement, which, however, refers to provincial towns only, London being looked upon as 'home,' and, besides, as too acute a city to be duped by such means:

'Persons,' remarks the writer, 'indiscreet enough to open their purses to the relief of the beggar tribe, would do well to take a readily learned lesson as to the folly of that misguided benevolence which encourages and perpetuates vagabondism. Every door or passage is pregnant with instruction as to the error committed by the patron of beggars, as the beggar-marks shew that a system of freemasonry is followed, by which a beggar knows whether it will be worth his while to call into a passage or knock at a door. Let any one examine the entrances to the passages in any town, and there he will find chalk-marks, unintelligible to him, but significant enough to beggars. If a thousand towns are examined, the same marks will be found at every passage entrance. The passage-mark is a cipher with a twisted tail; in some cases, the tail projects into the passage; in others, outwardly; thus seeming to indicate whether the houses down the passage are worth calling at or not. Almost every door has its marks: these are varied. In some cases, there is a cross on the brickwork; in others, a cipher: the figures 1, 2, 3 are also used. Every person may for himself test the accuracy of these statements by the examination of the brickwork near by his own doorway; thus demonstrating that

mendicancy is a regular trade, carried out upon a system calculated to save time, and realise the largest profits.'

Charts of successful begging-districts are rudely drawn, and symbolical signs attached to each house to shew whether its inmates are charitable (?) or the reverse. 'In many cases,' says Mayhew, 'there is over the kitchen mantel-piece of a tramp's lodging-house a map of the district, dotted here and there with memoranda of failure or success.' One of these maps has been obtained by one of the 'London Antiquary's' vagabond friends, and a fac-simile of it graces the frontispiece of this volume. The locality is near Maidstone in Kent, and it was perhaps sketched by a wandering *screever* in payment for a night's lodging—a *screever* being a street-artist, who portrays in coloured chalk those wonderful pictures one sees upon the pavements, and lets the same out to other gentlemen for a consideration, who have not artistic talent themselves, but whom the public believe to be the original draughtsmen. The hieroglyphics used upon the chart, it seems, convey the following pieces of information:

- × No good; too poor, and know too much.
 - + Stop: if you have what they want, they will buy. They are pretty 'fly' (knowing).
 -) Go in this direction; it is better than the other road. Nothing that way.
 - ◇ Bone (good). Safe for a 'cold tatur,' if for nothing else. 'Cheese your patur' (don't talk much) here.
 - ▽ Cooped (spoiled) by too many tramps calling there.
 - Gammy (unfavourable); likely to have you taken up. Mind the dog.
 - Flummuxed (dangerous); sure of a month in quod (prison).
 - ⊕ Religious, but tidy on the whole.
- Our Antiquary has 'little hesitation' in ascribing this invention to the gipsies. 'How strange it would be,' says he, 'if some Belzoni or Champollion discovered in these beggars' marks the fragments of ancient Egyptian or Hindoo hieroglyphics.' And we most cordially agree with him, never letting slip from our memory, however, the discovery of 'Bil Stumps hys mark' in *Pickwick*. To conclude this respectable paper with a really most interesting statement, we may mention a fact brought under the notice of the government by Mr Rawlinson, that the sign of the vagabond is to be met with upon the very threshold of the fatal Tree: 'The murderer's signal is even exhibited from the gallows; for a red handkerchief held in the hand of the felon about to be executed, is a token that he dies without having betrayed any professional secrets.'

JACQUES FONTAINE.

JOHN DE LA FONTAINE, a gentleman of Maine, holding a commission in the royal household of France, was one of the first who embraced Protestantism in that country. Resigning his place, he retired to a small estate near Mans, where, in 1563, his house was entered by a band of fanatics, or rather robbers pillaging under the flag of Catholicism, and he and his wife murdered. His three sons contrived to escape to Rochelle, then the stronghold of the Huguenots. Jacques, the second of these brothers, then fourteen years old, was kindly received by a shoemaker, who taught him his trade, at which in time he prospered. He married twice; the second time unhappily, for his wife attempted to poison him. Criminals of this kind excited at that time great interest, and petitions poured in on Henry IV. for her pardon. Before deciding on the matter, that monarch desired to see the husband who had had such a narrow escape.

When he beheld a fine, tall, hearty old man, with a long gray beard—like his own—the king exclaimed: 'Ventre Saint-Gris! poison the handsomest man in the kingdom! She has no excuse: let her be hanged!' And she was hanged accordingly. The handsomest man in France lived until the year 1633, when he left behind him some 9000 livres, and an only son, bearing the same name. This Jacques Fontaine left the shop for the pulpit, in which he acquired some reputation. At this period a close connection existed between England and the province of Saintonge, a brisk contraband trade supplying ready means of communication between the Reformers of both countries. During the civil war, the French Protestants received assistance from their co-religionists in England, and it was in reliance on them that Rochelle sustained the memorable siege, the result of which deprived it of both commercial and political importance.

Jacques Fontaine often went to London, and on one of his visits to that capital found an English wife. The result of the marriage was a son, born in 1658. Jacques Fontaine, the subject of this history, was, when a child, lamed by the carelessness of a servant. In consequence of this he was devoted to the ministry, a profession becoming every day more dangerous. Continual disputes were the precursors of the coming persecution. Jacques Fontaine seemed firmed to distinguish himself in such a troublous time; he was brought up as became the great-grandson of a martyr, and the son of a zealous minister. Two incidents in his early school-days gave some indication of his future character. M. Arnauld, his school-master, carried out Solomon's precept concerning the use of the rod to its fullest extent. The boys one day debated as to the number of stripes he gave at each whipping: none could resolve the problem, and Jacques undertook to settle the question on the first opportunity. This he had not to wait for long. During the preliminary preparation, he cried and screamed as usual, but at the first stroke became silent, finding it impossible to cry and count at the same time. M. Arnauld, surprised, looked in his face for an explanation: seeing nothing there, gave a second blow rather harder than before; still Master Jacques kept silent. Again the rod descended, this time with such force, that the delinquent could not suppress a cry, but (intent upon his self-imposed task) it took the shape of a loud 'Three!'

'Ah, you rogue,' exclaimed the master, 'you are counting, are you? There—count, count, count!' accompanying his words with such rapidity of action, that the calculating boy was fain to give up all idea of computation.

Jacques had a school-crony who shared everything with him, even to the floggings. When one of these friends had earned correction, the other deliberately committed some fault, that he might be punished with him. M. Arnauld, becoming aware of this extraordinary arrangement, met their desires by registering the bad marks of each, and when they were pretty nearly balanced, flogged the Damon and Pythias of Rochelle together. Spite of flagellation, young Fontaine made little progress as a scholar. Change of tutors was tried, without much effect, until, at the age of seventeen, he was placed under a clever but eccentric man, M. de la Bussiere, who drew out his long-slumbering talent; and by the time he was twenty, he could defend his theological opinions against all comers.

When Louis XIV. ascended the throne of France, the Reformation resembled somewhat a revolt of the nobles against the royal authority, the higher classes supplying, comparatively, the larger number of proselytes. The Huguenot leaders—better warriors than theologians—sought the aid of their ministers to confute the arguments of their opponents, to draw up

their manifestoes, and to recruit their armies. The provincial synods, where the ministers ruled supreme, became formidable; and as the nobles gradually fell away from the cause, their tendency became more democratic, more intolerable to the throne. That the result of a conflict between the sovereign and the synods would end in the discomfiture of the latter, scarce admitted of a doubt: the feelings of the majority of the population were adverse to the Reformers; their misfortunes excited no sympathy; the bigoted Catholics rejoiced; while those who were indifferent, saw in the sufferers for conscience' sake only so many infatuated fools. Their taxes were doubled; every manoeuvre ingenuity could suggest was practised to reduce the numbers of the heretics. During the earlier persecution of the Huguenots—approved of, though not perpetrated by the government—Jacques Fontaine became remarkable for his eloquence, firmness, address, and enthusiasm. He was soon arrested, imprisoned, and tried, at Bordeaux, before the parliament, for having held religious assemblies, and also for having prayed in prison! He defended himself with great spirit and skill, and was acquitted. On being released, he returned to his preaching, now attempting to raise the people; but his warlike exhortations failed in their intended effect: the king's name was yet a tower of strength in France; and Fontaine complains: 'Many there were who had borne unmoved the bitter tortures of persecution, who had been stripped of their property without yielding to temptation, and yet at last gave way under the influence of specious arguments from false friends, who represented to them that, as it was a commandment of God to honour and obey the king, they failed in duty to Him when they refused obedience to the monstrous decrees of the king. They thus became idolatrous renegades, and gave adoration to that which they knew to be nothing more than a morsel of bread.'

'Dragooning' became the order of the day; the troopers of M. de Louvois harassed the Huguenots everywhere. Our hero, disguised as a country gentleman, well armed, and mounted on an Arabian with scarlet housings, and familiar with every path, passed from place to place, exhorting, comforting, and assisting. He did not fear an encounter with the royal soldiers—he says he could hit a mark at fifteen paces when at full gallop, and had resolved to adopt the Parthian system, 'I wait,' he says, 'for any one who shall distance the rest by the fleetness of his horse, shoot him, gallop off, and load my pistol to be ready for another.' He is silent as to whether he ever had occasion to put this principle into practice.

In October 1685 the Edict of Nantes was revoked, and flight was the only resource of the Protestants; nor was this to be easily effected; not only were the dragoons to be eluded, but vessels of war watched all the ports. Jacques Fontaine having collected a little band of twelve—nine of whom were women, his betrothed, Mademoiselle Boursiquot, being among them—bargained with an English captain to take them across the Channel at one hundred francs per head. Accordingly, one night, the wind favouring them, the refugees, in a fishing-boat, gained the ship in safety, and were duly landed in England. Struck with the cheapness of bread in England, Fontaine made a speculation in flour, which he sent to France, and on which he realised a considerable profit. Two other adventures, however, in which he took part proved unfortunate, and necessitated the disposal of his watch, chain, spoons, and other valuables.

A Mr Doune of Barnstaple, a well-to-do bachelor, received our fugitive minister into his house, treating him in the kindest manner; but his sister, a maiden lady of thirty-three, 'short, thin, sallow, marked with the small-pox,' and worth some L3000, went still

further, and through her brother, proposed to marry him—the difficulty respecting Mademoiselle Bour-siquot being removed by Mr Doune himself offering to take her for his wife. Fontaine left it to his betrothed to decide: and she preferring to share his poverty and struggles, the flattering offers of Mr and Miss Doune were declined, and the young couple made sure of each other by an immediate marriage. The good folks of Barnstaple shewed their appreciation of true lovers by furnishing them anonymously with everything they wanted. But this dependence suited neither Fontaine nor his wife. He took a situation in the household of Sir H. Tynte of Bridgewater; but not being able to endure the separation from his bride, soon gave it up. He was then offered a living of £30 per annum; but on account of his scruples respecting church government, and of being 'told by the Presbyterians that the unfortunate people who had been executed after the Duke of Monmouth's rebellion, a few days before our arrival, and whose heads and quarters were exposed on all the towers, gates, and cross-roads, looking absolutely like butchers' shambles, had many of them been guilty of no crime but that of being Presbyterians'—he refused to sign the necessary documents.

He left Barnstaple for Taunton, where he was ordained by the Presbyterian synod; joining to his spiritual pursuit the more temporal ones of mercer, hatter, and grocer, he soon possessed the handsomest and most thriving shop in Taunton. His mode of conducting his business was calculated to secure custom. He procured linen, galleons, thread, needles, tin and copper-ware, direct from Holland; French refugees at Exeter supplied him with beaver hats; and he sold unadulterated French brandy, 'whereas the English generally played tricks with theirs.'

Then came the 'glorious Revolution.' 'Three sorry-looking Dutchmen' took possession of Taunton without opposition. Times became hard. Fontaine wound up his business, and tried teaching; dissatisfied with the result, he set up a manufactory of 'calimanco,' in which he proved successful; at the end of three years finding himself the possessor of £3000. Ever anxious for change, he accepted the ministry of a small refugee community near Cork, where he entered upon the manufacture of broadcloth with his usual success; but a difference arising between him and his flock, he left them for the north of Ireland, where at Bear Haven he established a fishery. Here, amid a peasantry who hated him both as a foreigner and a heretic, he preached and fished with varying fortune. The English government looked with favour on these establishments in Ireland, forming so many little Protestant colonies interested in maintaining the authority of the new king. Fontaine, observing that the bay near which he dwelt was a favourite resort of French privateers, proposed to the Duke of Ormond a plan of fortification. The duke, astonished at the presumption of a minister of the gospel reading him a lesson in the art of war, replied: 'Pray to God for us, and we will defend you!'

Early one morning in June 1704, a French privateer, mounting ten guns, entered the harbour, landed forty men and two small cannon, and commenced an attack on Jacques Fontaine's house, garrisoned by himself, seven men, his wife, and children; but the place was a complete arsenal. Its commandant, undaunted by the odds, defended it so effectually, that, after eight hours' combat, the siege was raised, with the loss to the assailants of three killed and seven wounded, the defenders having one man wounded. Immediately the battle was over, the victorious soldier-priest wrote a dispatch to the Duke of Ormond, commencing: 'Since I had the honour of paying my respects to your Grace at Kinsale, I have

not failed to pray for you daily, in conformity with your request; but you must allow me to complain that your Grace has not been equally true to the promise you then made of defending me; for without your assistance, I have had to defend myself from the attack of a French corsair.' Fontaine set to work and constructed a small fort, armed with 6-pounders from a wreck, to command the entrance to the creek. The government supplied him with ammunition, and granted him a pension of five shillings per day. For four years he was undisturbed, although living in constant apprehension of another attack, when a privateer sailed into the harbour under false colours, landed her men at midnight, and nearly surprised the minister. The enemy surrounded the house, and set fire to the grain and stabling, till Fontaine could not see his foes for the smoke. His garrison consisted of his wife, children, and four servants only. With these he made a stout resistance. Three times the roof of the house was fired and extinguished. While trying to frustrate a fourth attempt, Fontaine's gun burst, threw him down, breaking his collar-bone and three of his ribs. His wife then assumed the command. At last the enemy grew tired of the obstinate struggle, retreated from a breach they had made in the wall, and called on the little band to surrender. The firing ceased, and Fontaine advancing to the breach to treat, nearly fell a victim to the treachery of one of the Irish officers of the privateer. Upon this the conflict recommenced; a second truce was made, and terms of capitulation agreed upon—namely, life and liberty for all the garrison; but the victors, spite of the terms, took Fontaine and two of his sons prisoners on board their ship.

Madame Fontaine was not idle; she tried persuasions and threats to induce the Roman Catholic priest of the place to use his influence to obtain her husband's liberty, but in vain; and then determined to follow the vessel by land, and keep it in sight as long as possible. She was seen, and a boat despatched from the vessel, and a ransom of £100 agreed upon. She could only obtain £30. The captain took that, keeping one of her sons as hostage for the remainder. The governor of Kinsale, on receiving Fontaine's account of his treatment, took retaliatory measures with the prisoners of war there; so that when the privateer, after hovering about some time, returned to St Malo without the ransom, the captain found himself in disgrace, and was compelled to restore his hostage.

After this, Jacques Fontaine wisely resolved to leave Bear Haven. He obtained compensation for his losses, and settled in Dublin, where he lived to a good old age. His family became gradually dispersed, the majority settling in America, where their descendants still honour the memory of their stout-hearted ancestor.

TRODDEN OUT.

THE fount is not frozen nor dry
Whence that heart drew its tears,
No Summer shall e'er set it free
Through all the barren years.

No Autumn shall e'er lead it forth
From the dumb gasping clay,
To murmur its sweet sorrow out
Along the ancient way.

The fount is not frozen nor dry,
Needs nor sunlight nor rain;
Man's foot hath been set on its source,
And it flows not again. EMERITUS.

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